

# Richmond Times-Dispatch

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MONDAY, APRIL 23, 1906.

People never feel so much like angels as when they are doing what little good they may. —HAWTHORNE.

## County Treasurers.

The Henrico grand jury found that the recent county treasurer had been guilty of no intentional wrong doing, but recommended some enactment to prevent further acts, and that his was such as should have caused his removal. Another case of indiscretion. This removal has certainly been over worked around Richmond during the past few months. If an official is guilty of some act which would justify his removal from office can it be said this was done without wrong intent? Is the ordinary official possessed of less discernment than the grand jury or investigating committee? Is it not time to put a stop to such while washings?—Blackstone Courier.

The exact language of the grand jury was:

"We believe from the evidence before us that the late treasurer had no wrongful intent in handling the funds as he did, but on the contrary, thought he was within his legal rights."

The fault is largely with the system. The law provides that each treasurer shall commence to receive taxes on or before the first day of July of each year, or as soon thereafter as he may receive copies of the commissioners' books, and continue to receive the same up to the first day of December thereafter.

It is further provided that each treasurer shall, on the first day of December of each year, make up a statement of all taxes collected by him, verify the same by affidavit and forward it to the auditor of public accounts within fifteen days, and at the same time pay into the treasury the amount so collected. Nothing is said, so far as we can find in the code, of the manner in which he shall handle the funds he collects. If he settles with the auditor and treasurer at the proper time, no questions are asked. This, of course, refers to State taxes.

In the matter of county taxes it is required that treasurers shall settle with the Board of Supervisors and the school boards by the first day of October of each year, and shall, on that date, exhibit to the judge and Commonwealth's attorney the cash, to balance their accounts, if any is due, with the county levy and the county school fund. If the treasurer does this, he has complied with the law. If he fails to do so, the court, after service of law, shall suspend the treasurer and appoint a competent person in his place.

Moreover, the State encourages the treasurer to pay in advance the taxes of delinquents and allows him to collect for his own account the penalty. We say the State encourages this practice for it provides in section 123 that a treasurer may detain for taxes and levies for which he has accounted to the auditor of public accounts, and the county authorities, restrictively, at any time within one year after the period fixed in section 94 for his final settlement with the auditor of public accounts for State taxes.

This, by the way, seems to us to border very closely upon "farming out the taxes."

To sum up: the treasurer is required to collect the money at stated times and to make settlement at stated times. If he does this he complies with the law and in the mean time he may use the money in any way — please. He may lend it out, or gamble with it, or deposit it in bank and draw interest on it. At least that is our reading of the law and if we are wrong we hope some officer of government will promptly correct the statement.

We do not apologize for the late treasurer of Henrico, but in handling the public fund as though it were his own he seems to have followed the rule and we venture that other county treasurers do likewise. We are charitable enough to believe that Treasurer Todd, had he lived, would have made good the deficit in his accounts.

## Resistance to Taxation.

Virginians of the 18th century were quick to resist what they considered to be unjust taxation. A striking instance of this, which may not be generally remembered, is related by the historian, Campbell. It occurred during the term of Governor Dinwiddie in the reign of George II., and affords a prelude to the stirring events that were to take place in the struggles of American patriotism against the tyranny of King George III. Mr. Campbell says:

"The Virginians were in the habit of acquiring lands without expense, by means of a warrant of a survey without a patent. Dinwiddie found a million of unpatented acres thus possessed, and he established, with the advice of the council, a fee of a pistol (equivalent to three dollars and sixty cents), for every seal annexed to a grant. Against this measure the Assembly, in December, 1733, passed strong resolutions, and declared that whoever should pay that fee should be considered a betrayer of the rights of

the people; and they sent the attorney-general, Peyton Randolph, as their agent, to England, with a salary of two thousand pounds, to obtain redress." (Campbell's history of the colony and ancient Dominion of Virginia, p. 453). When we read of the alertness of our ancestors in this regard, we find ourselves the more amazed by the spine submission of succeeding generations to certain taxes for which there is no excuse. Our fathers made vigorous resistance to a tax of \$5.00 on a warrant that might cover hundreds of thousands of acres. And we wonder how long our people will continue to endure the heavy tax imposed by our present land-laws upon every transfer of land, however insignificant—a tax that does not go to the Commonwealth for the benefit of the public, but is levied by the lawyers who are required to examine our titles for every transfer, no matter how often they have before been examined. This tax is 1 per cent. In Roanoke, is more or less burdensome in every city of the Commonwealth, and usually amounts to hundreds and sometimes to thousands of dollars for a single transfer in Southwest Virginia. Why should this perpetual tax be tolerated when the people can be relieved of it by the adoption of the Torrens system of land registration and transfer? We call attention to the fact that the Torrens bill was defeated by a few lawyers in the last Legislature. Let the public remember this, and let us take care to select men for the next Legislature, pledged to give us the Torrens system, for which our Constitution has made special provision.

## The Insurance Losses.

The insurance involved in the Chicago fire was about \$100,000,000, and something like one-half of it was defaulted, dozens of companies becoming bankrupt.

It is now estimated that the losses to the insurance companies from the San Francisco fire will be nearly double that sum, yet the companies are getting ready to pay, and there is no fear that any company will be seriously affected. In the Chicago fire of 1871, only forty companies were able to pay their losses in full, while fifty-seven companies went to the wall. The number of companies was 325, but of this total many were so weak as to be unable to face any conflagration. By consolidation and growth, the number is much less to-day, and the individual company is far more than proportionately stronger. To-day the companies are figuring on how to pay quickly, while in 1871 many small concerns were so embarrassed that they never figured what their total liability was.

So says the New York Times. It is an interesting story. It shows how much stronger the country has grown in thirty-five years. It shows also what improvements have been made in our insurance methods. It was the Chicago conflagration, adds the Times, which taught the underwriters how to prepare for successive conflagrations which they have weathered in recent years, including the Baltimore fire, and bringing them in good condition to the San Francisco disaster.

Combines have their good, as well as their bad, points.

## Poverty and Crime.

"Crime and vice are not the natural consequences of normal human impulses. They are largely if not almost wholly products of environment. Society itself creates the economic condition in which the people live, and the pressure of the means of subsistence upon opportunity is such that men are driven out of their true course as a result of the despair caused by inequality of opportunity and the hopelessness of an unequal struggle. More men drink because they are miserable than are miserable because they drink, and the unfortunate who lead lives of vice do not choose that occupation from natural preference or wantonness of disposition, but are forced to begin and to persist in such lives by the pressure of conditions which make the earning of an honest and adequate livelihood difficult and sometimes impossible."

This is the observation of Mayor Tom Johnson, of Cleveland. Mr. Johnson does not believe that the whole penalty of society's aggregate sin would be visited upon its weakest sinners, nor that wholesale arrests and indiscriminate fines can do more than harden the lives and condition of those who are driven to vice and crime as a desperate resort.

His idea is that to remove crimes is better than to deal only with effects. That is the principle upon which the Associated Charities of Richmond is operating. It goes after the cause of poverty and seeks to remove it. It seeks to lift the dependent out of his dependency by finding employment for him and so enabling him to support himself. There are some indigent persons who are not able to work and who must depend upon the bounty of others for their support. These must be supported at the public expense; but it is a shame to support in this way a person who is able to work, for his thereby aid and encourage him in his mendacity, and contribute to his degradation. It is almost as bad as to aid and encourage a drunkard in his drunkenness, or a thief in his pilfering.

## A Word of Warning.

The people are responding liberally to San Francisco's appeal, and millions of dollars are being sent there to relieve distress. It is hard to believe, but as there are men mean enough to rob the dead in the stricken city and others mean enough to trade upon necessity and sell food at exorbitant prices to the hungry, so there are men mean enough to steal a part of the money which is being contributed. If they can lay their hands upon it. Unless proper care is taken, there will be rake-offs, and much of the money will be diverted, in one way or another. Again, the fake collectors are sure to ply their trade, if they are not watched. Therefore, we advise all contributors to use their common sense and make their contributions through channels which they know to be reliable.

San Francisco, April 21.—Mrs. Hugh

Crum, a wealthy property owner of San Francisco, reported to the Relief Committee to-day that all her income-bearing property has been destroyed, but that she had a little money in the bank which she proposed to divide equally with the Relief Committee. She, therefore, subscribed \$100 to the relief fund.

Isn't that a parallel to the "widow's mite" story in Holy Writ?

"Jerrum K. Jerrum says: 'You can't be funny all of the time.' No, erry you can't. Neither can C. B. Loomis, for that matter."—Richmond Times-Dispatch.

But C. B. can be a hoop-funster all the time than Jerry can.—Norfolk Landmark.

An opera singer who was once a blacksmith is to be brought to the United States from Europe, at a salary of \$1,200 a night. He will make a splendid leader in the "anvil chorus."

Castro is coming to see us, but fortunately none but a native can be President.

Gorky is writing his impressions of America. Some of us have already written our impressions of Gorky.

Richmond gas is a serious problem, and yet most of us make light of it.

## Why Delay in Giving Richmond Pure Milk?

Even before Professor Sedgwick gave his lecture on municipal sanitation and showed the important part played by milk in a city's health, it was a matter of common knowledge that Richmond's milk supply was in a deplorable condition.

The publication of Dr. E. C. Levy's paper on milk in yesterday's Times-Dispatch still further emphasized the need for immediate action. If this were a case for private enterprise the facts would demand and receive immediate attention. Private citizens have helped already, and stand prepared to help again, but if the conditions are to be radically changed and permanently improved the matter must be taken into the city's hands.

We have done many things well in this town and we have been able to meet and deal with any condition that has heretofore arisen in our city.

There is no doubt that a city that met the destruction of the evacuation can successfully settle the problem of pure milk. The sole question is, "When will we begin?"

There can be but one answer, "At once." It will cost very little to pay for a milkmaid who can test milk regularly. Such knowledge is absolutely necessary. Without it we will continue to stumble along in the dark, but under complete control and reports we will not be exposed to the peril of impure milk.

Milk is a primarily and unavoidable municipal duty. It should be met at once; to delay means unnecessary deaths—and that should be reason enough.

## The Road Law.

Commenting on some remarks of ours concerning the Sims road law, the Louisiana Enterprise says:

"This is right to the point. No man is better informed about roads than Judge Sims. When a farmer boy he has hauled heavy loads over them. This gives him practical knowledge of the roads. Then, as a business man with his property interests and home in the country, he has made a study of the roads of his country and the best and most economical way to improve them, so that in time if we begin to work right we will have a better road system than any other country has."

It is to be hoped that our county cannot have first-class highways at once, or even in years, but by all means let us start on the right basis and the improvement we do make let it be of so substantial a nature that those same improvements will not have to be made over again each year.

If each year what money we could spend on roads was expended on permanent improvement, then each year we would be a little nearer the goal of good roads and our country would be obliged to increase in value directly in proportion as our roads are improved and better farms, which would be the result of the saving in wear and tear on their team and vehicles and the added advantages of being at all seasons able to travel on good roads.

This has invariably been the result of good roads elsewhere, and would certainly work the same in Louisiana. We are no exception to the general rule.

## Current Opinion

### Petersburg Park.

Grand Army posts all over the country are now by resolutions imploring the government to establish a national park at Petersburg, Va. They claim that there is a large tract of land which would be a fine site for a park, and that the park ought to be more than at Petersburg. The study of the history of the civil war, in order to determine which point of view was the more strategic position, will demonstrate that that point was Petersburg. It was so considered at the time, and it was so considered by the military planners of both sides. Butler's plans were also approved, and would have been successful in capturing Petersburg and Richmond, but for his being outwitted by General Grant. The plan of Grant, which was to capture Petersburg by the backdoor—Petersburg, he demonstrated the fact himself later, by trying to capture it in every other way, and was only successful after adopting the original plan of McClellan. He knew that when Petersburg should fall, the whole power of the Confederacy would be broken. For this reason, and by the process of attrition, he centered the whole power of the North in men and resources at Petersburg—the last ditch of the Confederacy. Here he built a steam railroad of fifteen or twenty miles, which he called the "Crater." Sherman's army joined Grant at Petersburg, and it is estimated that 100,000 Federal troops were engaged at this point, while the Confederates were only 70,000. There were thirteen pitched battles and ordinary battles day and night for nearly a year. There were more troops engaged, more States represented, and a greater loss in the same period of time, than in any other engagement of the war.

Notwithstanding all these facts, and the accumulation of numerous incidents connected with Petersburg, there has not been a national park established at that point, where the very first year visit the battlefield, and even foreigners have been sent to study the scenes of warfare—Grand Army Junction.

### Birthday Party.

Mr. and Mrs. G. P. Perdue gave a delightful social Monday evening in honor of their sister, Miss Florence Carter, of Hanover. Games were indulged in and beautiful music rendered by Miss Dimple Moore, Miss Henrietta Dance and Miss G. H. Gill. At 1:30 refreshments were served. The dining-room was beautifully decorated in palms and cut flowers.

Those present were Misses Mabel Taylor, Dimple Moore, Floesie Dance, Henrietta Dance, Florence Jackson, Balle Graves, Lora Graves, L. B. Decker, Robinson, Lillie Perdue, Virgie Perdue, Bertha Carter, Helen Jones and Mrs. J. A. Brown, Messrs. Hennie Perdue, Abner Perdue, Walter Becker, Wortha Gill, Emmett Taylor, Branch Carter, Edith Decker, L. Jackson, Edith Gill, Clyde Decker, Belle Decker, John Taylor, J. A. Brown, N. G. Perdue and Joe Brown.

# Rhymes for To-Day

## The Muck-Rakers.

"What are the muck blowing for?" said Lawson-on-Parade.  
 "To turn us out to turn us out," D. Graham Phillips said.  
 "What are you muck blowing for?" said Lawson-on-Parade.  
 "I'm dreading what I've got to hear," J. Lincoln Stephens said.  
 They're exposing the muck-rakers.  
 To reduce to what will come when they expose each exposure.  
 When they find a newer frenzy or a treason every day—  
 They're exposing the muck-rakers in the mornin'.

"What makes Charles Russell breathe so 'ard?" asked Lawson-on-Parade.  
 "It's bitter cold," he's bitter cold," U. J. Sinclair said.  
 "What makes Miss Tarbell look so faint?" said Lawson-on-Parade.  
 "A touch of sun, a touch of sun," S. Hopkiss Adams said.  
 They're exposing the muck-rakers, they are calling 'em down.  
 They're exposing the muck-rakers from New York to Pookin'town.  
 They will chuck 'em in a lake o' ink an' let 'em swim or drown—  
 They're exposing the muck-rakers in the mornin'.

"I started all this bloomin' row," said Lawson-on-Parade.  
 "I think Miss Tarbell saw it first," Rex Beach rose up and said.  
 "What's all that noise about shakes the ground?" asked Lawson-on-Parade.  
 "It's Teddy Roosevelt's muck-rake speech," a pale reformer said.  
 They're exposing the muck-rakers, there is trouble in the air.  
 There are folks calling Lindbergh coming from Connecticut everywhere.  
 And they'll all write stuff, and talk, too, when they've got the time to spare—  
 They're exposing the muck-rakers in the mornin'.

—W. D. Nesbit, in New York Times.

## Merely Joking.

Wouldn't Take It—Culler: "Poetry is a gift." Editor: "Not here. You'll have to pay advertising rates to get this stuff in."—Chicago Daily News.

Not Bled—"Charley looked very sick when he returned from the races," said young Mrs. Torkins. "What was the trouble?" "He said his system was out of order."—Washington Star.

His Mistake.—Police Floorwalker: "What can we show you to-day, lady?" Mrs. Finckley: "For goodness sake, my man, don't call me lady!" Police Floorwalker: "Excuse me, I see now that I was mistaken."—Cleveland Leader.

The Trouble With Jimson—"I believe Jimson would share his last dollar with a friend," said Jimson. "But did you ever catch him when he had one?"—Milwaukee Sentinel.

The New Way—"The prisoner meant to injure me." "How do you know that, madam?" "Because he looked at me so hard." "That is no evidence, madam, of designing injury. You must prove intent." "I can prove it. His look was intent."—Baltimore American.

An Oversight.—Mr. Gardner: "Well, dear, how are the tomatoes you planted?" Mrs. Gardner: "Oh, John, I'm afraid we'll have to give them up. They won't grow." Mr. Gardner: "Why, how's that, Mary?" Mrs. Gardner: "I recollected to-day that when I did the planting I forgot to open the cans!"—Puck.

## THIS DAY IN HISTORY

April 23d.

Name Day, St. George. Sun rises at 5:18, sets at 6:42.

1016—Ethelred II., King of England, died.

1709—"The first number of the Tatler published by Steele, Addison and Swift."

1785—Warren Hastings executed after a trial of seven years. His crimes, as charged by the House of Commons to the peers, was maladministration in India.

1808—Murat, at the head of 40,000 French soldiers, taking advantage of a faction among the people, entered Madrid and took possession of it.

1809—Battle of Ratisbon. The Austrians were driven out, leaving cannon, baggage and prisoners in the hands of the French.

1810—Fort Matigorda, having been evacuated by a band of ruins, was evacuated by the British, in consequence of which the French were enabled to bombard Cadiz; 500 officers and 900 men fell into the hands of the French.

1844—A personal encounter took place in the House of Representatives of the United States between two of its members, Mr. White, of Kentucky, and Mr. Rathbun, of New York. Rough words passed, which were followed with blows. Another person named Moore, not a member, attempting to interfere, and being repulsed, fired a pistol at the member who thrust him back, and the bullet seriously injured one of the members of the House.

1874—John A. Logan, declared President Grant "crowded" "more damned nonsense" into his message on the currency question than had ever been condensed into the same space.

1884—The New York Republican State Convention at Albany elected a large number of members to President Chester A. Arthur and James G. Blaine.

1894—President Cleveland warned "Coxey's army" to keep outside of Washington.

Now that the subject of divorce is attracting unusual attention, by reason of a decision of the United States Supreme Court, it seems timely to publish resolution adopted recently by the "National Congress on Uniform Divorce Laws." The Congress met in Washington, and the Virginia delegates were Judge A. A. Phlegar, Mayor R. T. Barton and Mr. John Garland Pollard. The resolution follows:

1. AS TO FEDERAL LEGISLATION.

1. It is the sense of the Congress that no Federal divorce law is feasible, and that all efforts to secure the passage of a constitutional amendment—a necessary prerequisite—would be futile.

2. AS TO STATE LEGISLATION.

1. All suits for divorce should be brought and prosecuted only in the State where the plaintiff or the defendant had a bona fide residence.

2. When the courts are given cognizance of suits where the plaintiff was domiciled in a foreign jurisdiction at the time the cause of complaint arose, the jurisdiction of the court should not be given unless the cause of divorce was included among those recognized in such foreign domicile.

When the courts are given cognizance of suits where the defendant was domiciled in a foreign jurisdiction at the time the cause of complaint arose, it should be insisted that relief by absolute divorce will not be given unless the

cause of divorce was included among those recognized in such foreign domicile.

3. Where jurisdiction for absolute divorce depends upon the residence of the defendant, not less than two years' residence in the State where the cause of divorce is alleged should be required on the part of the plaintiff who has changed his or her State domicile since the cause of divorce arose.

Where jurisdiction for absolute divorce depends upon the residence of the defendant, not less than two years' residence in the State where the cause of divorce is alleged should be required on the part of the defendant who has changed his or her State domicile since the cause of divorce arose.

4. An innocent and injured party, husband or wife, seeking a divorce, should not be compelled to ask for a dissolution of the bonds of matrimony, but should be allowed, at his or her option, at any time, to apply for a divorce from bed and board, or for a divorce in mensa et thoro, should be retained where already existing, and provided for in State where no such rights exist.

5. The causes of divorce existing by legislative enactment may be classed into groups that would be approved by the common consent of all the communities represented in this Congress, or at least substantially so. These causes should be restricted to offenses by one party to the marriage contract against the other of so serious a character as to defeat objects of the marital relation; and they should never be left to the discretion of a court, but in all cases should be clearly and specifically enumerated in the statute. Uniformity in the branch of the law is much to be desired; but the evils arising from diverse causes in the different States will be very greatly alleviated if migratory divorces are prohibited.

6. While the following causes for annulment of the marriage contract, for divorce from the bonds of matrimony, and for legal separation or divorce a mensa et thoro, are in accordance with the relation of a large number of American States, the Congress, desiring to see the number of causes reduced rather than increased, recommends that no additional causes should be recognized in any State; and in those States where causes are restricted, no change is called for.

A.—Causes for Annulment of the Marriage Contract:

1. Impotence.

2. Consanguinity and affinity, properly limited.

3. Existing marriage.

4. Fraud, force or coercion.

5. Insanity, unknown to the other party.

6.—Causes for Divorce—A. v. m.: 1. Cruelty.

2. Bikamy.

3. Conviction of crime in certain classes of cases.

4. Intolerable cruelty.

5. Wilful desertion for two years.

6. Habitual drunkenness.

7.—Causes for Legal Separation, or Divorce, A. m.: 1. Adultery.

2. Intolerable cruelty.

3. Wilful desertion for two years.

4. Habitual drunkenness.

5. Conviction for crime should be made a cause for divorce. It should be required that such conviction has been followed by a continuous imprisonment for not less than two years, or in case of indeterminate sentence, one year; and that such conviction has been the result of trial in some one of the States of the Union, or in a Federal Court, or in some one of the countries or courts subject to the jurisdiction of the United States, or in some foreign country, and that such conviction, followed by an equally long term of imprisonment.

6. A decree should not be granted A. v. m. in those States where desertion is a cause for divorce. It should never be required that a cause of complaint should be persisted in for a period of at least two years.

7. A divorce should not be granted unless the defendant has been given full and fair opportunity by notice brought home to him to have his day in court, when his residence is known or can be ascertained.

8. Any one named as co-respondent should in all cases be given an opportunity to intervene.

9. Hearings and trials should always be before a jury, and not before any delegated representative of it; and in all uncontested divorce cases, and in any other divorce case where the court may deem it necessary or proper, a disinterested attorney should be assigned by the court, to represent the defendant.

10.—A decree should not be granted unless the cause is shown by affirmative proof, aside from any admissions on the part of the respondent.

11. A decree dissolving the marriage tie should not be granted until the respondent of either party should not become operative until the lapse of a reasonable time after hearing or trial upon the merits of the case. The Wisconsin, Illinois and California rule of one year is recommended.

12. In no case should the children born during coverture be bastardized, excepting where they are the offspring of bigamous marriages or the impossibility of access by the husband has been proved.

13. The State should not adopt the statute of Massachusetts principle contained in the Massachusetts Act, which is as follows:—"If an inhabitant of this Commonwealth goes into another State or country to obtain a divorce for a cause which occurred here while the parties resided in this Commonwealth, he shall not be authorized a divorce by the laws of this Commonwealth, a divorce so obtained shall be of no force or effect in this Commonwealth."

14. Fraud or collusion in obtaining or attempting to obtain divorces should be made statutory crimes by the criminal code.

## Return of Marriage Licenses.

Editor of The Times-Dispatch:

In your paper some time ago relative to the return of marriage licenses to the clerks of courts does an injustice to the ministers of the State. I have waited for some one else to correct this mistake, but seeing nothing in answer I arise to protest against such wholesale accusation. The law which requires the ministers to be diligent in duty and disregard a plain statute of the State in failing to fill out and return the license is a plain statute. The writer added, toward the close and in a seemingly doubtful strain as to possibility, that the clerks might have failed to do so.

Tazewell county is mentioned amongst the counties that had no marriages. I wish to state that in Tazewell county from ten to ten marriage licenses in the last year and a half, and I am persuaded that several other ministers would be able to furnish the same.

I cannot speak for the Clerk of Tazewell county, save to say that he is a splendid man and is liked by his people.

The note referred to was misleading and calculated to place the ministers of the State on the roll of law-breakers. It is a sure, and a not true in such wholesale measure as might be inferred from such a statement.

Trusting you will be well to investigate and report making such a broadside charge against a class of citizens whose law-abiding record is equal to the best.

Yours truly, J. W. B. SHULER, Graham, Va.

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